# UNITED STATES DISTRICT COURT

### NORTHERN DISTRICT OF CALIFORNIA

#### SAN JOSE DIVISION

GENENTECH, INC.,	) Case No.: 10-CV-02037-LHK
Plaintiff, v.  THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, a Pennsylvania non-profit corporation,  Defendant.	ORDER RE: MOTION TO SHORTEN TIME ON MOTION FOR PROTECTIVE ORDER OR, IN THE ALTERNATIVE, TO QUASH TRIAL SUBPOENAS  (re: dkt. # 616)

On May 17, 2012, Genentech filed a Motion for Protective Order or, in the Alternative, to Quash Trial Subpoenas, ECF No. 613 ("Motion for Protective Order"), alongside a Motion to Shorten Time of Briefing Schedule on its Motion for Protective Order, ECF No. 616. To enable Genentech's Motion for Protective Order to be heard at the Pretrial Conference set for May 30, 2012, Genentech proposes that U Penn's opposition be due May 23, 2012, and that Genentech's reply be due May 28, 2012. See ECF No. 616 at 4.

U Penn does not oppose the Court hearing the Motion for Protective Order at the May 30, 2012 Pretrial Conference, but argues that Genentech should not be allowed to file a reply brief because (1) Genentech unnecessarily delayed filing its motion, and (2) the parties have already briefed the issues identified in the Motion for Protective Order in the parties' Joint Pretrial Statement. See ECF No. 622 at 1.

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The Court agrees that the issues raised in Genentech's Motion for Protective Order have
already been addressed, to some degree, in the Joint Pretrial Statement, and that extensive
additional briefing on the matter is therefore unnecessary. The Court further agrees that no reply
brief is necessary. Accordingly, U Penn's opposition to the Motion for Protective Order, not to
exceed 10 pages, is due May 25, 2012, at 5:00 p.m. Genentech may not file a reply. The Court
will hear Genentech's Motion for Protective Order at the Pretrial Conference on May 30, 2012, at
2:00 p.m.

IT IS SO ORDERED.

Dated: May 22, 2012

Jucy H. Koh LUCY W KOH United States District Judge

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